

IN THE HIGH COURT OF JUDICATURE AT BOMBAY  
CIVIL APPELLATE JURISDICTION

**WRIT PETITION NO.6244 OF 2005**

Shri Dattu Vithoba Durgude ... Petitioner

V/s.

The Executive Engineer  
Hydro Electric Division No.1  
Bhatsanagar, Tal.:Shahpur  
Dist.: Thane & Ors. ... Respondents

Mr.Ameya Tamhane h/f Ms.Seema Sarnaik for Petitioner

CORAM: **SMT.NISHITA MHATRE, J.**

DATED: **SEPTEMBER 22, 2005**

**P.C.:**

. This Petition challenges the order of the Industrial Court to the extent that the Industrial Court after declaring that an unfair labour practice has been committed by the respondent under Item 9 of Schedule IV of the MRTU & PULP Act has granted benefits to the petitioner only from 1.1.2001. The Industrial Court has given cogent reasons for denying the Petitioner benefits for the earlier period. The Petitioner contends that he was doing the work of an electrician from the year 1990 itself and therefore, the benefits to him should be made available for that period.

2. This submission cannot be accepted since the Petitioner chose to redress his grievance by filing a

complaint only in December, 2000. The Industrial Court, therefore, cannot be faulted for granting the benefits from 1.1.2001. Petition rejected.